

Amendments to the Drawing Figures:

The attached drawing sheet is a NEW sheet, and includes a new FIG. 14.

Attachment: New Sheet

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application.

The applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

Claims are amended for non-statutory reasons: to correct one or more informalities, remove figure label numbers, and/or to replace European-style claim phraseology with American-style claim language. The claims are not narrowed in intended scope and no new matter is added.

The Office action objects to the drawings for not including each of the elements of the claims; a new drawing is correspondingly attached. No new matter is added.

The Office action rejects claims 19 and 20 under 35 U.S.C. 112, second paragraph, and 35 U.S.C. 101. The applicant respectfully traverses these rejections.

In each of these rejections, the Office action refers to the absence of method/process steps in claims 19 and 20. The applicant notes, however, that claims 19 and 20 are apparatus claims. There is no requirement for including method/process steps in an apparatus claim, and it is generally inappropriate to do so. Accordingly, the rejections of claims 19 and 20 under 35 U.S.C. 112, second paragraph and 35 U.S.C. 101 should be withdrawn.

The Office action rejects claims 1-20 under 35 U.S.C. 102(e) over Lin et al. (USPA 2001/0017615, hereinafter Lin). The applicant respectfully traverses this rejection.

MPEP 2131 states:

"A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as *complete detail* as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Claim 1, upon which claims 2-9 depend, claims a remote control device that is arranged for enabling combination of a number of preset IR or RF code sets into a single code set for controlling a device to be controlled. The claimed remote control device includes a selector and activator for linking the elements of a preset IR or RF code set and object keys by a user, and is configured to repeat the selection and creation for linking elements of a further preset code set for controlling the device until all object keys have been linked or the user terminates the process.

Lin fails to teach combining a number of preset IR or RF code sets into a single code set for controlling a device, and Lin fails to teach selection and creation for linking elements of a preset code set and a further preset code set to object keys for controlling the device to be controlled, as specifically claimed in claim 1.

The Office action cites Lin's FIG. 12 and paragraph [0051] for teaching the linking of elements of a preset code set to object keys by a user. The applicant notes, however, that Lin does not teach combining the elements of multiple code sets into a single code set for controlling the device. Lin teaches the conventional technique of mapping a single preset code set to object keys for controlling each device. Multiple devices are controlled by Lin, but the object keys for each device are obtained from a single preset code set.

In the interest of advancing prosecution in this case, each of the independent claims 1, 10, and 16 are amended to clearly recite that the further preset code set is accessed for controlling the device to be controlled.

Because Lin fails to teach that elements of a preset code set and a further preset code set are combined to form a single control set for controlling a device to be controlled, as claimed in each of the applicant's independent claims, the applicant respectfully requests the Examiner's reconsideration of the rejection of claims 1-20 under 35 U.S.C. 102(e) over Lin.

In view of the foregoing, the applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Robert M. McDermott/
Robert M. McDermott, Esq.
Registration Number 41,508
Phone: 804-493-0707
Fax: 215-243-7525

Please direct all correspondence to:
Yan Glickberg, Esq.
Philips Intellectual Property and Standards
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9618
Fax: (914) 332-0615